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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/388,351	09/01/1999	ERIK J. SNAPPER	03797.77746	3809

28319 7590 09/22/2005

BANNER & WITCOFF LTD.,  
ATTORNEYS FOR MICROSOFT  
1001 G STREET, N.W.  
ELEVENTH STREET  
WASHINGTON, DC 20001-4597

EXAMINER

BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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**09/388,351**

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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**BASHORE, WILLIAM****EXAMINER****2176**

ART UNIT	PAPER
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20050902

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**Commissioner for Patents**

In regard to BPAI Remand to the examiner regarding case 09/388,351, Appellant's Reply Brief filed 9/24/2004 has been noted and made of record. No further action by the examiner is deemed necessary. Accordingly, the case has been forwarded to the BPAI for decision on the appeal.

In regard to Appellant's IDS, filed 9/24/2004, said IDS cannot be considered at the present time because it does not conform to the rules set forth in MPEP 609 subsections (d)(1) and (d)(2). It is additionally noted that a copy of the Oracle reference (NPL) cannot be found in the record. Accordingly, said IDS has been placed in the file, but will not be considered at the present time.

**William L Bashore**  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**

September 2, 2005